

Fort Worth Daily Gazette.

Successor to the Democrat-Advance.

FORT WORTH, TEXAS, THURSDAY, FEBRUARY 22, 1883.

VOL. 7, NO. 57

AUSTIN.

Another Bill to Curtail the Rights of Texas Railroads.

Consideration of the Land Bill Postponed Till To-day.

The School Tax Question Again Discussed All Day.

Passage of the Election Law Bill by the House.

Senate.

Special to the Gazette.

Austin, Feb. 21.—The senate met at 10 o'clock.

Mr. Collin from the committee on stock raising reported favorably the bill to protect stock raisers and encourage stock raising.

By Mr. Patterson, from the finance committee, favorably, to appropriate \$10,000 to protect the capital building, favorably, to fix and equalize the compensation of tax assessors. The bill fixing the fees of tax collectors, was reported back with a substitute; unfavorably, providing a clerk for the secretary of the board of education.

Mr. Davis from the committee on constitutional amendments, favorably, submitting a prohibitory amendment to the constitution to a vote of the people.

Mr. Harris, from the committee on judicial districts, favorably, reorganizing law in judicial districts.

HILLS REFERRED.

By Mr. Patton.—Providing for the sale or lease of railroad stock.

By Mr. Perry.—To require railroads to allow passengers to travel on freight trains, where two passenger trains are not run each way daily.

By Mr. Pfeiffer.—To provide for the organization of school districts in each county and authorizing a levy of a local tax in each district for school purposes. Ordered printed.

SPECIAL ORDERS.

The land bill reported back by the committee was laid before the senate.

Mr. Jones moved to postpone until the bill pending yesterday is discussed.

Mr. Peacock moved to postpone until to-morrow. Carried—yeas 15, nays 12.

The question was raised that it required a two-thirds vote to postpone the regular business. The chair ruled that a majority vote could postpone to a definite time after the bill had been read before the senate.

UNFINISHED BUSINESS.

The motion to reconsider the vote adopting Mr. Houston's amendment yesterday was laid before the senate, and the motion withdrawn.

Mr. Peacock offered to amend by striking out "not more than 25," and inserting "20."

Mr. Jones thought the amendment would be adopted as it would fix the tax and the people would know exactly what they had to depend on. He thought it the duty of the state to educate the white and black children and the amendment proposed would give them six months schooling. He favored local district taxation but wanted a fixed tax in the constitution, that the poor districts might receive the benefit of free schools.

Mr. Davis in an able argument opposed the amendment, contending that it would increase the taxes three fold on property while at the same time it would reduce the occupation tax on whiskey, one-fourth of which goes to the free schools.

Mr. Fleming urged its adoption as the best thing possible looking to a compromise.

Mr. Shannon in an able argument supported it, at the same time raking over the coals Mr. Terrell for his speech made yesterday.

Mr. Chesley supported the amendment, and he believed it would meet with approval from the people. He was sorry that sectional speeches had been made and warned the senators if they favored a division of the great state they need never desire to return to the senate, as the people would surely shelve them.

Mr. Gibbs did not believe in a compromise and if the majority vote fixing the tax at 25 cents was to be abandoned he favored adopting the minority tax of 15 cents.

After a lengthy debate Mr. Pope moved the previous question. The senate refused to order the main question and Mr. Matlock moved to adjourn till 10 o'clock to-morrow. Lost.

Mr. Buchanan moved to adjourn till 10 o'clock. Carried.

Afternoon Session.

The pending question was the adoption of Mr. Peacock's amendment.

Mr. Peacock, after consultation with senators, said he had concluded to withdraw his amendment and renew the motion to reconsider the vote adopting Senator Houston's amendment yesterday.

Mr. Gooch favored a reconsideration, as he thought 25 cents too high; that 15 cents was amply sufficient to conduct the schools six months in a year.

Mr. Houston opposed a reconsideration and argued that a maximum of 25 cents was not too high. He contended against fixing the tax at 15 cents.

Mr. Matlock said he hoped the motion would prevail, as the amendment of Mr. Houston left the matter open for no tax at all.

The question recurring on the motion to reconsider, it was adopted, yeas 14, nays 13.

The question recurring on the adoption of Mr. Houston's amendment, Mr. Houston moved a call of the senate.

Seconded, and a second call was ordered.

Pending the call bills were introduced by Mr. Cooper to authorize commissioner of the land office to issue certain patents as provided for want of reports from county clerks.

By Mr. Jones.—Providing for the

appointment of a geologist and for making a geological survey of the state.

By Mr. Jones.—Joint resolution providing for calling a constitutional convention.

The joint resolution requesting our members in congress to aid in preventing the abandonment of the military post on the Rio Grande was laid before the senate and adopted.

The bill to authorize the preparation of accounts for frontier protection for presentation to the general government was taken up with the substitute of the senate.

Pending question of the adoption of Mr. Houston's amendment, Mr. Gibbs moved to amend by adding "not less than twelve and a half cents, nor more than twenty-five cents."

Adopted—yeas 20, nays 8.

The question recurring on the adoption of Mr. Houston's amendment as amended, it was lost—yeas 13, nays 15.

Mr. Gooch moved to amend by providing that when the tax, with the assistance of the other available funds, is sufficient to maintain the schools ten months, the tax may be reduced.

Adopted—yeas 15, nays 13.

Mr. Patton moved to strike out fifteen cents and insert twenty. Lost, yeas 13, nays 15.

Mr. Chesley moved to amend by striking out fifteen cents and inserting thirteen cents. Lost, yeas 13, nays 15.

Mr. Jones offered a substitute for one section, for not less than twenty cents ad valorem tax, and a poll tax of one dollar.

Mr. Chesley moved to reconsider the vote just taken. Carried, yeas 15, nays 13.

Mr. Chesley moved to adjourn until 9:50 to-morrow. Lost, and his amendment was adopted.

Mr. Morton moved to adjourn till 10 o'clock to-morrow. Lost.

Mr. Johnson of Shelby offered a substitute for the section providing for a levy of an ad valorem tax of not more than twenty cents, a poll tax of one dollar and one-fourth of the occupation taxes for school purposes. Lost.

Mr. Chesley moved to adjourn until 10 o'clock to-morrow. Carried, yeas 17, nays 10.

House.

The following petitions were presented:

By Mr. Chenoweth.—From the citizens of Fannin county, asking for a more efficient local option law.

By Mr. Harkness.—From the commissioners' court, asking the restoration of the county court of Dimmitt county.

By Mr. Stout.—Remonstrance from the citizens of Navarro county against the new court of Richard.

By the speaker.—From the citizens of Ellis county, asking the passage of a law respecting the right acquired by them under the act for the sale of school lands; also on the question of prohibition.

By Mr. Caven.—From citizens of Harrison county relative to the fees of assessors and collectors.

RESOLUTIONS.

By Mr. Brown.—Investing against the use of personalities in debates and concluded with some pleasantness in regard to long speeches.

By Mr. McKinney.—Inviting Prof. Alexander Hogg of Fort Worth to deliver a lecture in this hall to-night on education. Adopted.

By Mr. Chenoweth.—Giving the use of the hall to General George D. Johnston of Alabama to deliver a lecture to-morrow night in aid of the Southern Historical Society. Adopted.

By Mr. Foster of Grayson.—The afternoon sessions be devoted to house bills on their second and third reading. Laid over.

By Mr. Rosenthal.—Inviting General Fitzhugh Lee, who is soon to visit Texas, to come to Austin and deliver his famous lecture on the battle of Chancellorsville, and that the use of this hall be tendered him for such purpose.

Mr. Foster, of Limestone, offered an amendment that the sergeant-at-arms be empowered to grant the use of the hall to every respectable man who wishes to lecture on any subject of public interest.

Mr. Chenoweth said General Lee had not asked the use of the hall but that the resolution proposed to invite General Lee here and in doing so the members would honor themselves by securing the eminent gentleman's thanks.

Mr. Foster's amendment was ruled out of order and the resolution adopted.

Mr. Durant arose to a question of privilege in answer to the remarks of Mr. Armstrong yesterday. His speech called for no reply and the troubled waters became calm once more.

The speaker announced the dismissal of three committee clerks.

BILLS REFERRED.

By Mr. McKinney.—Regulating the bringing of suit against railroads in certain cases.

By Mr. McDaniel.—Amending the law debaring more than one prosecution for the same offense.

By Mr. McDaniel.—To more properly define the north boundary line of the town of Goliad.

By Mr. Harkness.—Restoring the jurisdiction of the county court of Dimmitt county.

REGULAR ORDER.

The election law bill came up, the provisions of which have already been given in the GAZETTE. Several amendments touching the pay of managers were offered.

On motion of Mr. Frank, the clause allowing managers to begin the count before the closing of the polls was stricken out and the amendment by Mr. Scott pro-

viding for the delivery of the returns by the manager in person was adopted.

The amendment by Mr. Cotton to insert after the word "returned," the words "together with" was adopted, and the bill read the third time and passed.

The committee on constitutional amendments reported the school tax resolutions in two sections which were taken up as a special order. The first resolution providing for a state tax of 25 cents was considered first.

Mr. Ayres moved to strike out the maximum of 25 cents and insert 15 cents as a minimum. Lost.

Mr. Hazlewood moved to strike out 25 cents and insert 8 1/2 cents. Laid on the table.

Mr. Cramer moved to strike out 25 cents and insert 50 cents. Laid on the table and the bill engrossed.

The second clause providing for the district system and the levy of 25 cents by school communities was taken up.

The amendment by Mr. Cochran to cure the defects in the phraseology was adopted.

Mr. Townsend moved to amend by the election in the district to be by freeholders. Laid on the table.

Mr. Foster, of Grayson, moved to amend by providing that two-thirds of the voters must be tax-payers, voting at such election. Adopted.

Mr. Frank offered an amendment reducing the maximum tax allowed to be levied by districts, from twenty-five to fifteen cents. He made a strong speech in favor of his amendment, in which he advanced the idea that his proposition was a liberal compromise to the minority.

He was followed by Messrs. Nash, Warrick, Etheridge, Graves, Burns, Kendall and Brown, in favor, and Mr. Patton, who opposed the amendment because he was opposed to any reduction.

Mr. Taylor opposed the whole measure and said he was unwilling to make any compromise.

Mr. Randall said he was glad the sentiments of Mr. Taylor were not very numerous seconded.

The amendment was adopted, and after the adoption of the amendment, by Mr. McKinney, to strike out the words "in the" and insert the words "in the" the resolution was engrossed by yeas, 78; nays, 9.

Adjourned to 3 p. m.

AFTERNOON SESSION.

On motion of Mr. Patterson the motion to reconsider the passage of Sunday law bill was laid on the table.

PETITIONS.

By Mr. Frank.—From citizens of Callahan county asking the rescinding of the penitentiary leases and for keeping the convicts inside the walls.

By Mr. Foster of Limestone.—From citizens of Limestone for the new county of Richland.

By Mr. McGrath.—For the proper defining and reducing of the boundary lines of the city of Gonzales.

By Mr. McDaniel.—From citizens of Hill and Navarro counties for the new county of Richland.

By Mr. Cotton.—Protest from the commissioners' court of Hamilton county against the new county of Mills.

Messrs. Frymier and Acker introduced prohibition petitions, and the regular order followed.

The senate bill making it penal to disturb public worship was passed to the third reading.

The senate bill providing for the fees of county officers in examining trials in felony cases, was taken up. It allows magistrates, sheriffs and constables the fees allowed by the law in misdemeanor cases, to be paid by the state, and allows attorneys ten dollars in commitment cases. It passed to the third reading.

The bill regulating the manner of changing and locating county seats was passed to its third reading.

The bill regulating the fees of county attorneys for collecting monies from defaulting tax collectors came up.

This is the bill for the purpose of placing upon the statute books a law which seems to have been an omission brought out in the case of E. T. Moore vs. the state.

Mr. Hill offered an amendment to the caption to make it read, "bill for the benefit of E. T. Moore." Ruled out.

Mr. Finch offered a substitute for the bill fixing the fees for such collections, but leaving off the proviso which gives attorneys relief as to cases already adjudicated.

Mr. Finch made a long speech against the bill in which occurred many personalities against Mr. Moore, county attorney of Travis county.

Mr. Cravens spoke for the bill in a very convincing manner and was followed by Mr. Patterson, who took strong grounds in favor of the measure.

Mr. McKinney began an argument in favor of the bill but yielded to a motion to adjourn and the house adjourned until to-morrow.

Notes.

A letter was received here to-day from a certain county which says nearly all the school lands in that county have been taken up by use of fictitious names. Mr. Kendall's committee will have witnesses from that county before it.

The debate to-morrow over the county attorneys' fee bill, or what is known here as Moore's relief bill, will be lively. The bill has already passed the senate and will pass the house it is thought.

Senator Davis' resolution looking to the cancellation of the capitol contract, while creating gossip, is not thought of seriously here.

It is thought to-night that the district clause of the school bill, though engrossed by more than two-thirds, will fall on a final passage, as many members who voted for engrossment will refuse to support the bill.

The following counties have no present election returns to the secretary of state as required by law: Hidalgo, Kimble, McCulloch, Oldham, Panoia, Presidio, Red River, Saba and Victoria.

WASHINGTON.

The Star-Route Trial at Last Grows Intensely Interesting

And the Monotony of the House is Also Relieved.

The Attack on Hazen Vigorously Retorted and Warmly Refuted.

Exciting Charges and Counter Charges Made by Some Members.

Senate.

Washington, February 21.—Mr. Garland offered a resolution for the appointment of a committee of seven senators to examine into the work now in progress for the improvement of the Mississippi river below Cairo, the method, contracts and applications of the appropriations, etc.; also, into all matters pertaining to the feasibility of the outlet system, and to the improvement of the mouth of the river, the system of jetties, their permanency, etc., and all matters touching such improvements, the committee to hold session during the recess of congress, at places on the river or elsewhere; to examine persons and papers, and report to the next session.

The resolution went over until to-morrow.

The bill passed appropriating \$25,000 for the erection of a monument to Washington, and the senate went into executive session.

When the doors were re-opened the senate proceeded to the consideration of the army appropriation bill.

The first important amendment reported by the committee on military affairs was the insertion of a paragraph appropriating \$142,000 for the clerks for the adjutant-general's department and for the headquarters of military divisions and departments. Adopted.

The next amendment was to increase the number of aide-de-camps for generals from twenty to thirty-five; to strike out the provision limiting the number and making the provision as to their rank and pay, and to insert the following: Provided that no officer shall remain absent from his regiment on duty at Washington City for a longer period than three years at any one time, but the provision shall not apply to officers on the staff of the commanding general of the army nor to army officers in charge of the publication of the records of the war of the rebellion or detailed to work on the Washington monument.

The fact that the exception did not apply to officers of the signal service corps, gave rise to a discussion, Mr. Maxey and others, arguing that these officers should not be removed from Washington after three years service, and Logan, who has charge of the bill, denying he was, as represented, hostile to that corps, and contending that military duties performed by it should be learned by all the army officers. He wished all army officers to have an opportunity of learning these duties, and he proposed to offer an amendment that of the twelve signal officers now in Washington, four shall be sent back to their regiments in 1883, four in 1884 and four in 1885, other officers to be detailed in their places. He alluded to the fact that he had been attacked in editorial articles all over the country as being hostile to the signal service corps and said these editorials had been enclosed to him in a letter with the information that they had been written in the signal office and paid for out of government money. He could demonstrate the truth of that statement.

The amendment was excluded on a point of order, and the question was then taken up on striking out the clause limiting the number of aide-de-camps and providing they shall not have any additional pay or rank and it was stricken out.

House.

The house went into committee of the whole on the sundry civil service bill. The pending amendment was that offered last evening by Mr. McCook under direction of the military committee as follows: That lands reserved for military purposes which in the opinion of the president may be no longer desirable for such purposes, or so much thereof as he may designate, shall be placed under control of the secretary of the interior, to be disposed of, provided said lands shall not be placed under the control of the secretary of the interior until the direction of the president thereof has been filed in the interior department; provided also said lands shall not be subject to location by warrant or scrip of any description, nor to the homestead or pre-emption laws of the United States, and further, said lands shall not be sold until they have been surveyed and plotted under the direction of the secretary of the interior and appraised by three competent men to be appointed by him, and their appraisal approved by the president, and said lands shall be sold at public sale to the highest bidder for cash and shall not be sold at less than their appraised value and such subdivisions as may be most advantageous to the government, no subdivision to exceed 160 acres.

On motion of Mr. Washburn, Mr. McCook's amendment was amended by providing that the land shall not be sold at less than \$1.25 per acre.

On motion of Mr. Carpenter the amendment was further amended to provide so that any settlers who were in actual occupation of a portion of any reservation and continued such occupation at the present time, shall be entitled to locate the land on which they live under the homestead laws. The amendment was amended was adopted.

Mr. Beltzhoover moved to amend by striking out the clause authorizing the secretary of war to detail for service in the signal corps, not to exceed eight commissioned officers exclusive of the second lieutenants of the signal corps, authorized by law. In advocacy of this amendment he made an attack upon the administration of the

signal service under General Hazen. He believed his burden was partly civil and wholly military and it should be transferred to some department of the government and especially that it should be placed under the charge of a head who had some scientific knowledge and standing and reputation among the responsible scientists of the country. The speech which he had printed sometime ago in the Record had been criticised because it had not been delivered on the floor of the house. In order to avoid any misunderstanding, he had formulated his statement in a brief form as follows:

First.—The administration of the civil service bureau under Howgate was the most corrupt, profligate and dishonest which ever existed in the annals of the government.

Second.—Howgate's methods were characterized by the employment of "the whole signal service force who had log-rolled to influence congress to pass legislation for the bureau."

Third.—While apparently expending the full appropriation and keeping up the efficiency of the service, Howgate was stealing hundreds of thousands of dollars, and the amount of his largesses reached \$600,000.

Fourth.—While his corrupt and felonious scheme was in progress, Howgate was surrounded by a number of well educated and well paid employees, who were either marvelously stupid or criminally culpable.

Fifth.—That no investigation of any kind has been made to ascertain the character and extent of these frauds nor had the perpetrators been brought to trial. There were some reasons for this which some persons around the signal bureau know better than anybody else.

Sixth.—General W. B. Hazen had never brought Howgate to trial but left every employee of Howgate in control of the bureau.

At this point Mr. Beltzhoover asked to print some of Howgate's letters in the Record. Mr. Taylor of Ohio objected and he continued with the presentation of his charges.

Seventh.—That Hazen, not only failed to bring Howgate to justice, but adopted precisely the methods of Howgate in using employees of the bureau to influence congress through bonds of trade, etc.

Eighth.—That Hazen had made false pretenses to the war department to secure details of regular officers to be used for that purpose.

Mr. E. B. Taylor of Ohio in reply defended Hazen's integrity and criticised Beltzhoover's action in making an assault on that officer in a speech which was not openly delivered, but which was printed in the Record. That whole speech was formed on incorrect information. This morning the gentleman again made an assault on Hazen, the burden of his speech being, that officer did not prosecute Howgate. What had he to do with that prosecution? It was an unjust charge. It was an unreasonable charge. It was without foundation and like the whole trade, it was based on false information. The gentleman had charged General Hazen with being a general without a battle, a commander without a history. Had he known the slightest rudiments of this country's history, he would have known that the general had been under fire as many times as any officer in the service. In conclusion, in this charge the gentleman had said Hazen strutted on the stage, and wore the muniments of war, and all that makes it honorable. He (Taylor) did not know what General Hazen wore. If he wore the muniments of war, he wore something no other general did.

Mr. Calkins bore testimony to General Hazen's bravery during the war.

Mr. Beltzhoover then went on with specification of charges.

Ninth.—That Hazen had been running up the expenditures of the bureau to double what they were under Howgate.

Tenth.—That Hazen's petty frauds and peculations were more bold and infamous than Howgate's.

Eleventh.—That Hazen was found guilty of base and ignominious cowardice and most disgraceful duplicity.

Twelfth.—That Hazen's management of the bureau had not only been profligate beyond parallel, but without adequate results.

Mr. Converse replied to and denied the charge of Hazen's cowardice. He bore a musket ball in his body received in honorable warfare, yet he was arraigned as a coward by a man who never saw a battle. What is the meaning of this? He could tell what it meant. It was a remnant of a quarrel that started years ago, when a colonel came before the investigating committee and dared to give testimony that threw from one of the highest places in the United States the man who occupied it. That quarrel has been continued from that hour to this and General Hazen has never seen a day of peace since the day he gave his testimony. Spies had gone into his very office, scavengers had been employed to go to his spittoons to pick up remnants of papers and examine them, and Taylor and Beltzhoover had them, and this stuff printed here against Hazen is largely the remnants of what has been dragged out of his waste basket.

Mr. Beltzhoover said the information on which he based his charge was derived largely from a record of evidence, and asserted that the records of Hazen's court-martial corroborated his charge of cowardice. As to the remarks of the gentleman from Ohio, (Converse), did the gentlemen mean to say that either he or General Hancock, or General Sherman or the president or secretary of war were in conspiracy to break down poor little Brigadier General Hazen, because he had brought Belknap to trial.

Converse.—No they have never made such charge as the gentlemen represent, but I so say that men have been set on Hazen's trace using foul words

to him in order to drive him into a fight and to get an opportunity to kill him.

Mr. Burtworth earnestly defended General Hazen's character for honesty and bravery, and suggested that the gentleman from Pennsylvania had put himself in an unenviable light before the country in attacking that officer without formulating his charges and asking for an investigation.

Mr. Beltzhoover stated he would have demanded an investigation but for the approaching adjournment of congress.

The amendment was then lost.

On motion of Mr. Hiseock, the amendment was adopted authorizing the secretary of war, in his discretion, to make a further detail of officers for service in the Arctic sea expedition.

Mr. Blackburn offered an amendment reducing the appropriation for the United States geological survey from \$240,000 to \$220,000. After discussion and pending action the committee rose and the house adjourned.

Washington, February 21.—Rendell continued his testimony in the star route trial. The court refused to admit the evidence of the muster roll, offered yesterday. Witness said, Dorsey's instructions requiring the filling in blanks of the paper were specific.

Merrick stated he should perhaps recall the witness to further examine him concerning further papers not yet in his possession; otherwise he had concluded.

The cross-examination was then begun by Ingersoll. Witness denied he received money or consideration of any kind for making his affidavit.

Ingersoll asked him what he intended to swear to about the false books he prepared for the congressional committee.

Objected to by the prosecution.

Ingersoll argued if the witness was ready to swear a falsehood then he was equally ready to do it now. The objection was sustained by the court.

Witness identified a paper presented to him by Ingersoll as being in his handwriting except the words "and others." He had signed and swore to it. Ingersoll then read the paper. It was an affidavit by Rendell, dated July 12, 1882, in which he swore that S. W. Dorsey, J. W. Rosley and Brady had never by verbal or written direction or inference committed any wrong. There was never an improper act or suggestion by Dorsey or Bosler. The statement that he (Rendell) had books and papers showing that they had been engaged in a scheme to defraud the people was false. No such books or papers ever existed. The statement that Dorsey and Bosler paid 60 per cent of their remitted fines or any percentage to Brady was purely false and neither Bosler or Dorsey ever secured increased service by corrupt means. In short, all stories told of unlawful operations on the part of Dorsey and Bosler were mere fabrications gotten up for newspaper purposes and this statement was made voluntarily to vindicate them.

Witness said he desired to explain the circumstances under which the affidavit was made. A few days before its date he had notified Dorsey he intended to go over to the government and make a full statement. Dorsey then called him into Willard's Hotel and threatened to prosecute him for perjury if he did this. Dorsey produced two letters he (Rendell) had been foolish enough to write a woman in the city, and said he would break his family relations if he did not make this affidavit. Witness was very much frightened as he supposed those letters had been destroyed. Yielding to those threats witness consented to make the affidavit. He wrote it, witness copied it and carried it to Dorsey and Bosler. Witness acknowledged the affidavit was false in every essential particular.

The question of entries to Smith and Sam Jones came up again and witness said there was another entry from his check book of \$2,000 to the credit of Jas. B. Belford, member of congress. This was to be charged to the mail account and was in the summer of '78. The check was drawn on Middleton & Co., bankers in this city.

The secretary of war transmitted to the house the following dispatch from Engineer W. L. Marshall:

Vicksburg, Miss., February 12.—Inspected the works at Lake Providence Thursday. No damage to works that could be discovered by the present flood. Everything is in good condition here, though the dykes are now submerged.